

# HOUSE . . . . . No. 1109

By Ms. Kaprielian of Watertown, petition of Rachel Kaprielian and others relative to the prevention of bullying in public schools. Education.

## The Commonwealth of Massachusetts

### PETITION OF:

Rachel Kaprielian	Anthony J. Verga
Ellen Story	Cory Atkins
Louis L. Kafka	Frank I. Smizik
Kathi-Anne Reinstein	Steven M. Walsh

In the Year Two Thousand and Five.

AN ACT RELATIVE TO THE PREVENTION OF BULLYING IN THE SCHOOL.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

- 1 SECTION 1. Chapter 71 of the General Laws is hereby
- 2 amended by inserting after section 38 the following section:—
- 3 Section 38½. For the purpose of this section bullying shall
- 4 mean any overt act or combination of acts directed against a stu-
- 5 dent by another student or group of students and which:
- 6 (A) is repeated over time;
- 7 (B) is intended to ridicule, humiliate, or intimidate the student;
- 8 and
- 9 (C) occurs during the school day on school property, on a
- 10 school bus, or at a school-sponsored activity, or before or after the
- 11 school day on a school bus or at a school-sponsored activity.
- 12 Each public and private school shall adopt and implement a
- 13 comprehensive plan for responding to student misbehavior. To
- 14 the extent appropriate, the plan shall promote the positive devel-
- 15 opment of youth.
- 16 The plan shall include:
- 17 A description of behaviors on and off school grounds which
- 18 constitute misconduct, including harassment, bullying, and

19 hazing, particularly those behaviors which may be grounds for  
20 expulsion.

21 The plan shall also include a description if misconduct which  
22 although serious does not rise to the level of bullying.

1 SECTION 2. By January 1, 2006 the commissioner of educa-  
2 tion shall update and distribute to all superintendents, school  
3 boards and principals a model school plan on student discipline.

4 The model plan:

5 state that bullying is a form of dangerous and disrespectful  
6 behavior that will not be permitted or tolerated:

7 enable students to report anonymously to teachers and school  
8 administrators acts of bullying:

9 enable parents or guardians of students to file written reports of  
10 suspected bullying:

11 require teachers and other school staff who witness acts of bul-  
12 lying or receive student reports of bullying to notify school  
13 administrators:

14 require school administrators to investigate any written reports  
15 filed and to review any anonymous reports:

16 include an intervention strategy for school staff to deal with  
17 bullying;

18 include the prohibition against bullying in the student or school  
19 handbook and otherwise make students aware of the prohibition  
20 against bullying, the penalties therefor, and the procedures for  
21 reporting bullying;

22 require the school to notify the parent or guardian of a student  
23 who commits a verified act of bullying of the response of the  
24 school staff and consequences that may result from further acts of  
25 bullying

26 require the school to notify the parent or guardian of a student  
27 who is a victim of bullying of the action taken to prevent any fur-  
28 ther acts of bullying; and

29 require the school to collect data on the number of reported  
30 incidents of bullying and the number of incidents that have been  
31 verified and to make such data available to the commissioner and  
32 to the public

1     SECTION 3. On or before January 15, 2007 the commissioner  
2 of education shall report to the joint committee on education, arts  
3 and the humanities on the implementation of this act. The report  
4 shall include pertinent data such as incidences of bullying gath-  
5 ered by school districts.